

REMARKS

Claims 1-36 are pending. In response to the Office Action mailed December 7, 2005, Applicants affirm the provisional election with traverse made during the telephone conversation with Attorney John Hammar, on November 23, 2005, to prosecute the invention of Group I, Claims 1-8, 18-23, 33-35. Applicants have amended the Specification to cross reference the related provisional patent. Claim 1 has been amended to correct a typographical mistake. Claim 33 has been amended for purposes of clarification only.

Claims 1-8, 18-23, and 33-35 remain pending in the application after this Amendment. No new claims have been added. Applicants submit that no new matter is added by this Amendment. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

RESTRICTION UNDER 35 U.S.C. § 121

Applicants hereby affirm the provisional election with traverse to prosecute the invention of Group I, Claims 1-8, 18-23, 33-35. Claims 9-17, 24-32 and 36 have been withdrawn, without prejudice. Applicants reserve the right to file an additional application directed to the subject matter not elected herein.

OBJECTION UNDER 37 CFR 1.78

The Specification has been amended to include the Cross-Reference to Related Applications and lists USSN: 60/246,930 from which priority was previously claimed. Applicants submit that no new matter is added by the amendment to the Specification. Thus, withdrawal of the objection is respectfully requested.

REJECTION OF THE CLAIMS UNDER 35 U.S.C. § 102

Claims 1-8, 18-23, and 33-35 stand rejected under 35 U.S.C. 102(b) as being anticipated by Hughes et al (U.S. Pat. No. 5,893,074 hereinafter referred to as "Hughes"). 35 U.S.C. § 102(b) requires that each and every element of a claim be taught by a single reference in order for the reference to anticipate the claim.

Claim 1 has been amended to correct a typographical error. No new matter has been added by the amendment. Claim 1 (as amended) recites: "recording the series of collaborative actions into a script database" and Claim 18 recites: "recording the series of collaborative actions into said script database." It is respectfully submitted that this subject matter is not disclosed, taught, or suggested by Hughes.

Hughes Fails to Teach Recording into a Script

Hughes teaches recording information into a database for the purpose of resolving a product status to yield a contract. The input data that Hughes records is product data. "Input data (indicated in the figure as the double-headed arrows 13) concerning the product of each task 14a-d, 15a-d in the project 10 are defined by the rec/del format" (Hughes Col. 5, lines 16-18). "Data are supplied to the relational database of the system for analysis at step 49. The first set of input data identifies and defines the product." (Hughes Col. 6, lines 15-17). The initial data and status regarding a product may be modified. "During day-to-day operations, individual employees supply, receive, and/or deliver particular items of the project; the status of each item then reported to the supervising manager.

Information is then collected, tabulated, and evaluated to manage the project." (Hughes Col. 1, lines 45-50). The information and status is analyzed to determine the product state with the goal of establishing a contract. "The data stored in the database 18 are then analyzed with a computational component to determine the contract and states for each product" (Hughes Col. 5, lines 21-24). The recording of status or information of Hughes does not teach recording into a script of a database.

Applicants submit that a "script," as used in the present invention is distinguishable from "status" which merely indicates the state of an item. A "script" is also distinguishable from "information," which is a loose collection of knowledge. Instead, a "script," as used in the present invention, identifies a number of related actions to be performed collaboratively in a particular sequence to perform a task (Libra para. [0035] and [0041]). Thus, recording into a script database as described in Claims 1 and 18 are distinguishable from recording information into the database of Hughes.

Hughes Fails to Teach Recording Collaborative Actions

Hughes discloses recording product information. "Data are supplied to the relational database of the system for analysis at step 49. The first set of input data identifies and defines the product." (Hughes Col. 6, lines 15-17). "Input data (indicated in the figure as the double-headed arrows 13) concerning the product of each task 14a-d, 15a-d in the project 10 are defined by the rec/del format. Either responsible party involved with the task can provide input data" (Hughes Col. 5, lines 16-20).

Furthermore, Hughes teaches away from recording implementation plan comments related to the actions for developing a product. "Input data are entered according to the following set of well defined ground rules. To reduce e-mail "noise", and establish firm ownership of data relating to scheduling, suppliers and receivers only supply input data and receive output data for their particular task. 1. Only list receivables needed for delivery. Do not include comments on products or items such as schedules and implementation plans." (Hughes Col. 6, lines 50-57).

The recorded information of Hughes is not a “collaborative action”, but is product data used to negotiate the status of the product. “Suppliers and receivers negotiate the state of each product over the electronic user interface. Negotiations cause the product’s state to evolve, and continue until the product’s state is reconciled by both suppliers and receivers.” (Hughes Col. 4, lines 50-53). Product information is not the same as collaborative actions. The present invention records collaborative actions that define the actual collaborative steps between different parties (Libra para. [0035]). Thus, “collaborative actions” recorded in Claims 1 and 18 are distinguishable from the recorded information of Hughes.

Hughes Fails to Teach “Tasks” as Collaborative Actions, But Rather as Products

In Hughes, a task does not disclose collaborative actions of the task, but refers to the *product* of the task. “This format effectively separates the project into a series of smaller tasks, each of which involves a contract between a supplier and a receiver. Each contract relates in some way to the production of a product.” (Hughes Col. 4, lines 30-34). Hughes discloses the hierarchical breakdown of tasks into products, not the temporal and collaborative relationship of collaborative actions. “The project 10 is broken down into a series of large-scale tasks 14a-14d. Each large-scale task is broken down into smaller tasks 15a-15d. Each task 14a-14d, 15a-15d results in a product.” (Hughes Col. 5, lines 9-12). As previously highlighted, Hughes discloses recording product information and negotiating the state of each product until the state is reconciled. Thus, the tasks of Hughes are the *hierarchy of products* whose contractual state is negotiated and reconciled, not collaborative actions that are recorded into a script to be performed collaboratively.

For at least the reasons stated above, Applicants’ recording of “collaborative actions” into a “script” called for in Claims 1 and 18 are distinguishable over Hughes. Claims 2-8 all depend directly or indirectly from independent Claim 1. Claims 19-23 each depend directly or indirectly from independent Claim 18. Therefore, for at least the same reasons stated above with reference to claim 1 and 18, Claims 2-8, and 19-23 are also patentable over Hughes. Thus, reconsideration and withdrawal of the instant rejection is respectfully requested.

In light of the forgoing arguments, Applicants submit that the rejection of Claims 1 and 18 are rendered moot and are patentable over Hughes. Reconsideration and withdrawal of the rejection of the claims under § 102(b) is respectfully requested.

Hughes Fails to Teach Sequential Steps

Dependent claims 2, 19, and 34, call for ordering each of the actions into a series of sequential steps. Hughes’ Figure 1 depicts tasks labeled 1 through 4. These tasks are merely enumerated items that

are part of a larger product, and the tasks themselves as part of a hierarchy. Referring to Figure 1, "The project 10 is broken down into a series of large-scale tasks 14a-14d. Each large-scale task is broken down into smaller tasks 15a – 15d. Each task 14a-14d, 15a-15d results in a product." (Hughes Col. 5, lines 9-12). Hughes fails to disclose a relationship between tasks 14a – 14d (labeled task 1 through 4 - Figure 1) as a sequence of actions, but instead as a relationship of whether a contract has been finalized regarding a product for delivery. (Hughes Col. 5, lines 50-58). Applicants disclose collaborative actions of a task with a particular sequence (Libra para. [0045]). For these additional reasons, dependent Claims 2, 19, and 34 are not anticipated by Hughes.

Claims 33-35 Are Distinguished From Hughes

Claim 33 has been amended to further clarify the present invention, and now recites: "A computer readable medium containing instructions for controlling a computer system to perform a method, the method comprising: recording a plurality of tasks that are collaboratively performed between parties, wherein each of said tasks includes a series of collaborative actions; recording the series of collaborative actions into a script; displaying a status of the actions taken in each of tasks; providing immediate access to each party to allow viewing of the status of each task, thereby reducing the overall time required for the parties to perform the collaborative tasks." Support for the amended language may be found in the original claims, as filed. Applicants submit that no new matter has been added.

Therefore, for at least the same reasons stated above with reference to Claims 1 and 18, it is respectfully submitted that Claim 33 is patentable over the Hughes. Claims 34-35 each depend from Claim 33. Therefore, for at least the same reasons stated above with reference to Claim 1 and 18, Claims 34-35 are also patentable over the prior art of record. Thus, withdrawal of the instant rejection is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently pending objections and rejections. It is believed that a full and complete response has been made to the present Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (949) 790-1359.

Respectfully submitted,

Dated: April 7, 2006

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